

LYNDON CITY COUNCIL
ADJOURNED MEETING MINUTES OF
APRIL 19, 2010

The Lyndon City Council met in adjourned session on Monday, April 19, 2010, 7:30 p.m., at City Hall.

Members Present: Kay Jones, Wayne Howard, Bill Patterson, Brandon Smith,
Doug Watson, Mayor Jeff Bronson, City Attorney Pat Walsh (8:15)
City Administrator Larry Thurston and City Clerk Barbara Schattak

Others Present: Ruth Delange, Technical Student Association Sponsor for USD #421
Danica Barone, Jimmie Taylor, Jessica Spencer, Jenae Schmidt and
Chelsea Turkin, TSA Students from Lyndon High School
Donna Kirkpatrick
Eunice Wedermeyer
Jeff & Heather Spencer
Shane Kirkpatrick
Justin Graham
Rick Hines, Attorney
Darrel Manning, Chief of Police

Mayor Jeff Bronson called the meeting to order. A motion was made by Jones to approve the minutes of the regular meeting of April 5, 2010 as presented. Howard seconded the motion, which carried.

TSA STUDENTS: Students with the Lyndon High School Technical Student Association explained to the council how they compete against other schools in problem solving of technical questions. The group has gone to Nationals since TSA was formed in the Lyndon High School several years ago. Due to budget cuts, the students are doing fundraisers to allow travel to Baltimore, Maryland, this year for Nationals. On May 1st they will be holding a car wash and will be raising funds at a Junior High track meet in June.

JUSTIN GRAHAM: Justin reported he did water line repair work at 602 Topeka and found the problem had been created when Nowak installed a new meter; instead of removing the old can meter, Nowak ran a new line to the new meter; after it was covered it eventually caused a kink in the line which created the leak. Justin informed the council he had contacted Dave Wilson and was advised to fix the leak and bill the City. Larry informed the council he had waived the payment of the water bill for the leak, as the owner had paid \$75 every month, which is close to their normal bill. A check was issued to the owner for half of Justin's bill; the owner would pay the bill in full. After some discussion, a motion was made by Howard for the City to pay Justin Graham the full amount of his bill. Smith seconded the motion, which carried.

Jones suggested Larry write a letter to Nowak with a copy going to Kirkham Michael regarding the situation.

At 7:57 p.m. a motion was made by Jones to recess to executive session for 30 minutes to discuss a matter of attorney-client privilege and have Rick Hines and Larry attend. Patterson seconded the motion, which carried. The governing body reconvened at 8:37 p.m.

At 8:38 p.m. a motion was made by Watson to recess to executive session for 10 minutes to discuss a matter of attorney-client privilege and have Rick Hines and Larry attend. Smith seconded the motion, which carried. No action was taken.

TIGER RIDGE: Shane Kirkpatrick questioned if the council had considered his request for de-annexation of his property. Mayor Bronson stated he thought there had been a misunderstanding with all parties and felt an agreement had been reached for temporary graveled roads for now. Jones stated it was confusing, when the Council had received notice of asphalt roads would be put in place by June 30, 2010. It was noted the Planning & Zoning makes recommendations to the Council, and these recommendations can either be approved or disapproved. Council asked Shane what they could do to help bring the subdivision back to life; Shane reported he no longer owns the land as he sold it to his parents. Council asked Donna to take the information she learned from the meeting and visit with Randy to see if this would help resolve the situation. After some discussion, the matter was tabled to the next meeting.

STREET RESURFACING QUOTES: Mayor Bronson opened three quotes to resurface some city streets this year. The quotes were: Killough Construction - \$124,558; APAC - \$143,431 and Bettis Asphalt - \$100,791. After some discussion, it was the consensus of the council to have Larry review the bids and bring recommendations to the next meeting. The matter was tabled.

MOWER QUOTE: Larry presented a quote for the purchase of a new mower. After some discussion, a motion was made by Patterson to approve the purchase of a Grasshopper 729T2 ZTR Mower with a 72" front-mounted deck at a cost of \$5000 with the trade of the older Grasshopper 729G2 ZTR mower. Jones seconded the motion, which carried.

CITY CLERK: Received thank-you notes for single student pool passes provided for the Help House silent auction on May 1st and the Lyndon High School April 17th After-Prom activities.

Presented the Mayor's Arbor Day Proclamation setting the month of April and Saturday, May 8th as the 2010 Arbor Day Observance. A tree-planting demonstration will be given by Tree Board members, prior to distribution of the containerized trees on May 8th. A motion was made by Watson to approve adoption of said Proclamation. Jones seconded the motion, which carried.

Reported Kayla Banzhaf, Pool Manager, is working on getting the pool ready and showed the flyer she created for lifeguards. Larry reported Kayla had been in Friday and visited with Barb.

Each member was given the February issue of the Kansas Government Journal.

CITY ATTORNEY: Pat Walsh asked if the council had any changes they would like to see on new fireworks ordinance. Pat suggested combining the model ordinance from the League of Kansas Municipalities and the City's existing ordinance. After some discussion, it was the

consensus of the council for Pat to draft an ordinance. The matter was tabled to the next meeting.

CITY ADMINISTRATOR: Larry gave each member a copy of his Administrator's Report, Police Activity Report and correspondence generated through his office.

Larry reported he has a verbal agreement with David Lowry, Superintendent of the Stava Building Corporation to relocate the City's water line away from the Dollar General parking lot. Pat recommended getting the agreement in writing; Larry noted he should be receiving it in the mail by the end of the week. It was noted Dave Wilson has uncovered the north and south ends of the line to be moved. It was recommended by the Council it would be easier to upsize the main to a 6 inch main while the main was being moved. Larry noted the cost to upsize the line would be about \$500 and Dollar General may pay the cost of moving the line. After some discussion, it was the consensus of the council for the city to pay the difference to upsize the line from 4 inch to 6 inch even if Dollar General doesn't pay for the increase in size.

GOVERNING BODY COMMENTS: Patterson presented the final copy of the City brochure to be used at the Kansas Sampler Festival.

Patterson reported he had communicated via e-mail with Brad Loveless regarding the memorial tree for Kerensa Ward and asked if a spot in Jones Park had been located. Larry stated Dave Wilson found a site which would be acceptable for maintenance and mowing. Patterson will contact the family.

At 9:43 p.m. a motion was made by Patterson to recess to executive session for 20 minutes to discuss a personnel matter and have Mayor Bronson and Pat attend. Jones seconded the motion, which carried. The governing body reconvened at 10:03 p.m.

At 10:04 p.m. a motion was made by Patterson to recess to executive session for 10 minutes to discuss a personnel matter and have Mayor Bronson and Pat attend. Watson seconded the motion, which carried. The governing body reconvened at 10:14 p.m. It was the consensus of the council for Barb to contact the League of Kansas Municipalities to obtain different packages for hiring a city administrator.

Mayor Bronson asked Pat Walsh to look at the information Kevin Payne brought to City Hall today. City Attorney, Pat Walsh, stated this is an action the City may not want to do.

At 11:19 p.m. a motion was made by Patterson for adjournment to Monday, May 3, 2010, at 7:30 p.m. Jones seconded the motion, which carried.

A handwritten signature in cursive script, reading "Barbara Schattak". The ink is dark and the signature is fluid, with a large initial 'B' and a long, sweeping 'S'.

Barbara Schattak
City Clerk